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2
3 BILL NO. G-07-10 (Amended)
4

5 GENERAL ORDINANCE NO. G-~~27-73~~ 18-73

6 AN ORDINANCE AMENDING CHAPTER 30 OF THE
7 FORT WAYNE MUNICIPAL CODE BY ADDING THERETO
8 SECTIONS 36, 37, 38, 39, 40, 41, 42, 43,
9 44, 45, 46 and 47.

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
11 INDIANA That Chapter 30 of the Fort Wayne Municipal Code is hereby
12 amended by adding thereto Sections 36, 37, 38, 39, 40, 41, 42, 43, 44,
13 45, 46 and 47.

14 SECTION 36. Amusement Arcades - License required.

15 No person, firm, partnership or corporation shall keep within
16 the City any amusement arcade unless such person, firm, partnership
17 or corporation shall have first procured an amusement arcade license
18 as hereinafter provided.

19 SECTION 37. Amusement Arcades - License required.

20 "Amusement Arcade" means the operation by any person, firm,
21 partnership or corporation of:

22 (1) Twenty (20) or more coin operated amusement devices as
23 hereafter defined.

24 (2) For public use.

25 (3) Upon premises solely within one enclosure.

26 SECTION 38. "Coin operated amusement device" means any
27 amusement machine or device which is operated or put into operation
28 in whole or in part by the insertion of a coin, token or similar
29 object. The term does not include coin-operated musical devices,
30 bona fide vending machines in which gaming or amusement features
31 are not incorporated, any gambling device or slot machine. Nothing
32 herein shall be construed to permit the use of any device prohibited
33 by law or the use of any device in any manner prohibited by law.

34 SECTION 39. Amusement Arcades - License required.

35 No person, firm, partnership or corporation shall own, operate,
or permit operation of an Amusement Arcade on premises owned, leased
or operated by him, or engage in the business of operating an Amusement
Arcade, in the City unless an annual Amusement Arcade License has
been obtained. Such Amusement Arcade License shall be in lieu of
any other license required by Sections 18 and 30 of this Chapter. A
person, firm, partnership or corporation licensed as an Amusement
arcade is exempt from all other licensing requirements of this Chapter.

SECTION 40. Amusement Arcades - License Required -
Application - License fee.

Such Amusement Arcade licenses shall be obtained upon application to the City Controller and the payment of an annual license fee of \$200.00 for each Amusement Arcade. Such fee shall be in lieu of any other fee required by Sections 20 and 31 of this Chapter.

Amusement Arcade licenses shall cover an annual period from January 1st through December 31st for each calendar year hereafter; provided, however, that all Amusement licenses obtained between August 21, 1973 and December 31, 1973 in addition to covering the period from the granting of the license in the year 1973 to the end of said year 1973 shall cover also the calendar year 1974. From and after January 1, 1974 each Amusement license, no matter when obtained during said calendar year 1974 and thereafter, shall cover only the unexpired portion of the calendar year in which the annual calendar year Amusement Arcade license is obtained.

The application must be signed and sworn to by the applicant in the case of a sole proprietorship. In case the applicant is a partnership, all partners must sign and verify the application. In case the applicant is a corporation, all officers must sign and verify the application and indicate their official position. The information required in the application form must be furnished as to each person signing the application. Each application shall be accompanied by the required licensing fee and shall contain the following information:

- (a) The applicant's full name.
- (b) The applicant's residence address.
- (c) The applicant's business address.
- (d) The address of the proposed amusement arcade.
- (e) The name and address of every person who has any interest in the Amusement Arcade, and the nature of that interest.
- (f) Whether or not the applicant has been convicted of any felony, or of pandering, gambling, operation of a gambling device, operating of a gaming house or being a keeper of a house of ill-fame, or any other misdemeanor.
- (g) Whether or not the applicant is at the time of making the application keeping or in any way connected with a gaming house or a house of ill-fame.
- (h) Whether or not the applicant or his or her spouse, or any member of the applicant's household is a member or employee of the Police Department of the City of Fort Wayne, whether or not any member or employee of the Police Department of the City of Fort Wayne is interested in any way, either directly or indirectly, in the license applied for, the devices, or the operation of the same; and whether or not the applicant has received or borrowed money or anything else of value or accepted credit from any member or employee of said Police Department, or the spouse of any member of the household of any such member or employee.
- (i) A statement that the applicant, if requested by the Mayor, will permit a record of his fingerprints to be made by the Police Department of the City of Fort Wayne for the purpose of additional investigation to determine whether or not the application should be granted.

1 SECTION 41. Amusement Arcades, License required -

2 Inspections; Issuance of License.

3 Upon receipt of the application and the fee, the Controller
4 shall cause the Arcade to be inspected promptly and report to the
5 City Controller whether the coin operated amusement device, or devices,
6 in the Arcade are equipped for operation or are actually operated
7 in violation of the law of the State. If the Police Department
8 finds that the coin operated amusement devices in the Arcade are
9 not so equipped or operated, the inspecting officer shall place
10 a sticker on each machine showing the date of inspection and so
11 report to the City Controller. The Controller shall then issue
12 a license for the Arcade, and the number of the license shall be
13 placed on the sticker on each coin operated amusement device
14 in the Arcade.

15 The Police Department shall make at least one additional
16 inspection of each coin operated amusement device in the Arcade
17 during the license year to determine whether the machines are
18 operated or equipped for operation in violation of the law of the
19 State, and may make additional inspections at any time. The date
20 of each inspection shall be shown on the sticker of each machine.

21 SECTION 42. Amusement Arcades - Change of Location.

22 If any coin operated amusement device is moved from
23 the Arcade, the new location shall be reported promptly to the
24 Police Department, and if not so reported, the Amusement Arcade
25 License shall be automatically revoked without notice of further
26 action. No license shall be valid except for the location shown
27 in the application or in such change of location.

28 If any coin operated amusement device is moved from a
29 different location to the Arcade, the Arcade licensee shall
30 notify the Police Department of the City, which shall cause the
31 new machines to be inspected promptly and report to the City Con-
32 troller whether the coin operated amusement device in the Arcade
33 is equipped for operation or is actually operated in violation of
34 law. If the Police Department finds that the coin operated amuse-
35 ment device in the Arcade is not so equipped or operated, the
inspecting Officer shall place a sticker on that machine, bearing
the number of the Arcade License, showing the date of inspection and
so report to the City Controller.

36 SECTION 43. Amusement Arcades - Restrictions.

37 A. No coin-operated amusement device or coin-operated
38 musical device shall be operated within an amusement arcade so as
39 to constitute a public nuisance.

40 B. An Amusement Arcade License shall not be issued to
41 any person who has been convicted of conducting gambling activities
42 or to any corporation or partnership a member or principal share-
43 holder of which has been convicted of conducting gambling activities.
44 No gambling activities shall be conducted on the premises of
45 Amusement Arcades licensed under this Chapter.

46 C. There shall be provided a full time attendant upon
47 the premises of an Amusement Arcade during the normal business hours.

48 D. It shall be unlawful for any person, firm, partner-
49 ship or corporation engaged in the business of operating an Amuse-
50 ment Arcade to sell, offer for sale, or knowingly permit to be
51 sold or offered for sale or to be dispensed or consumed or brought
52 on the premises any alcoholic beverages.

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3 E. Every Amusement Arcade licensed under this Chapter
4 shall have affixed on its premises in plain view a decalcomania
evidencing the issuance of its license.

5 F. The license required and described in this Section
6 shall be purely a personal privilege and shall not constitute
property. It is not transferable in any manner.

7 SECTION 44. Amusement Arcades - Penalties.

8 Any person, firm, partnership or corporation operating an
9 Amusement Arcade shall be subject to a fine of not less than Ten
Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) for
10 every violation of this Chapter. A licensee who has committed
three (3) or more violations of this Chapter may, upon ten (10)
11 days written notice to licensee, have its license revoked.

12 SECTION 45. If any part, parts, section, sections,
13 provision, clause or portion of this ordinance shall be adjudged
invalid or unconstitutional, such invalidity or unconstitutionality
14 shall not affect the validity or constitutionality of this ordi-
nance as a whole or of any other part, section, clause, provision,
or portion of this ordinance.

15 SECTION 46. This Ordinance shall be in full force and
16 effect from and after its passage, approval by the Mayor, and
legal publication thereof.

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18 
19 Councilman

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24 Approved as to form and legality
this 10 day of August, 1973.

25 By 
26 City Council Attorney

Read the first time in full and on motion by Hinga, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 7/10/73

Charles M. Mustersman
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

AYES 7, NAYS 0, ABSTAINED _____, ABSENT 2 to-wit:

BURNS	<u>✓</u>	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	_____	_____	_____	<u>✓</u>
SCHMIDT, D.	_____	_____	_____	<u>✓</u>
SCHMIDT, V.	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATE: 8-14-73

Charles M. Mustersman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. D-18-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles M. Mustersman
CITY CLERK

Winfield C. Mims JR.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles M. Mustersman
CITY CLERK

Approved and signed by me this 22nd day of August, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

Don A. Branaugh
MAYOR

*exp. 8-14-73
Referred
To
aug. 14th*

*Hold
for
Mr. Grant
attorney
see Mr. Logan*

Bill No. G-73-07-10

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance

AMENDING CHAPTER 30 OF THE FORT WAYNE MUNICIPAL CODE BY ADDING

THERETO SECTIONS 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and

47

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

William T. Hinga - Chairman

John Nuckols - Vice-Chairman

James S. Stier

Samuel J. Talarico

Paul M. Burns

William T. Hinga

James S. Stier
Samuel J. Talarico
Paul M. Burns

DATE 8-14-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

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3 SECTION 41. Amusement Arcades, License required -
4 Inspections; Issuance of License.

5 Upon receipt of the application and the fee, the Controller shall
6 refer the application to the Police Department of the City, which
7 shall cause the Arcade to be inspected promptly and report to the
8 City Controller whether the coin operated amusement device, or devices,
9 in the Arcade are equipped for operation or are actually operated
10 in violation of the law of the State. If the Police Department
11 finds that the coin operated amusement devices in the Arcade are
12 not so equipped or operated, the inspecting officer shall place
13 a sticker on each machine showing the date of inspection and so
14 report to the City Controller. The Controller shall then issue
15 a license for the Arcade, and the number of the license shall be
16 placed on the sticker on each coin operated amusement device
17 in the Arcade.

18 The Police Department shall make at least one additional
19 inspection of each coin operated amusement device in the Arcade
20 during the license year to determine whether the machines are
21 operated or equipped for operation in violation of the law of the
22 State, and may make additional inspections at any time. The date
23 of each inspection shall be shown on the sticker of each machine.

24 SECTION 42. Amusement Arcades - Change of Location.

25 If any coin operated amusement device is moved from
26 the Arcade, the new location shall be reported promptly to the
27 Police Department, and if not so reported, the Amusement Arcade
28 License shall be automatically revoked without notice of further
29 action. No license shall be valid except for the location shown
30 in the application or in such change of location.

31 SECTION 43. Amusement Arcades - Restrictions.

32 A. No coin-operated amusement device or coin-operated
33 musical device shall be operated within an amusement arcade so as
34 to constitute a nuisance.

35 B. An Amusement Arcade License shall not be issued to
any person who has been convicted of conducting gambling activities
or to any corporation or partnership a member or principal share-
holder of which has been convicted of conducting gambling activities.
No gambling activities shall be conducted on the premises of
Amusement Arcades licensed under this Chapter.

C. There shall be provided a full time attendant upon
the premises of an Amusement Arcade during the normal business hours.

27 X D. It shall be unlawful for any person, firm, partner-
ship or corporation engaged in the business of operating an Amuse-
ment Arcade to sell, offer for sale, or knowingly permit to be
sold or offered for sale upon the premises any food or beverage
of any kind or character.

E. Every Amusement Arcade licensed under this Chapter
shall have affixed on its premises in plain view a decalcomania
evidencing the issuance of its license.

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3 F. The license required and described in this Section
4 shall be purely a personal privilege and shall not constitute
5 property. It is not transferable in any manner.

6 SECTION 44. Amusement Arcades - Penalties.

7 Any person, firm, partnership or corporation operating an
8 Amusement Arcade shall be subject to a fine of not less than Ten
9 Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) for
10 every violation of this Chapter. A licensee who has committed
11 three (3) or more violations of this Chapter may, upon ten (10)
12 days written notice to licensee, have its license revoked.

13 SECTION 45. Amusement Arcades - Revocation of License.

14 Any license which may be granted under the provisions
15 of Sections 36 to 41, both inclusive, may be revoked at any time
16 by the mayor at his option.

17 SECTION 46. If any part, parts, section, sections,
18 provision, clause or portion of this ordinance shall be adjudged
19 invalid or unconstitutional, such invalidity or unconstitutionality
20 shall not affect the validity or constitutionality of this ordi-
21 nance as a whole or of any other part, section, clause, provision,
22 or portion of this ordinance.

23 SECTION 47. This Ordinance shall be in full force
24 and effect from and after its passage, approval by the Mayor, and
25 legal publication thereof.

26 William T. Zinga
27 Councilman

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Approved as to form and legality
this 10 day of July, 1973.

By Robert H. Logan
City Council Attorney



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

August 2, 1973

Mr. Charles Gaunt
2157 Cheri Court
Fort Wayne, Indiana

Dear Mr. Gaunt:

Your presence is requested on August 7, 1973, at 7:30 o'clock P.M., Room 124, by the members of the Common Council and William Hinga, Chairman of the Standing Committee of Finance, in regard to Bill No. G-73-07-10, regarding an Ordinance amending Chapter 30 of the Fort Wayne Municipal Code by Adding thereto Sections 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

It is also requested that you bring along any materials or information that you may have which will help the Council in its decision regarding the above bill.

Respectfully yours,

A handwritten signature in cursive script, reading "Charles W. Westerman".

Charles W. Westerman
City Clerk

REQUEST FOR ACTION

To: City Attorney David B. Keller
or
Associate City Attorney _____

From: (Name, Title & Department) City Council

Approved by _____
(Person authorized to forward legal work)

Date: July 10, 1973

Subject: An Ordinance requiring License for Amusement Arcades, defining
amusement device, application, license fee, restrictions, penalties, etc.
(File subject designation)

File # Assigned by Records Librarian

#3173

Date: July 10, 1973

Action Requested: Ordinance regarding Amusement Arcades

(Continue on reverse side, if necessary)

cc: City Attorney David B. Keller
(If request originally sent to an Associate City Attorney)
Mayor Ivan A. Lebamoff
Department Head of Requesting Party

DIGEST SHEET

5-13-07-10

TITLE OF ORDINANCE An Ordinance amending Chapter 30 of the Fort Wayne Municipal Code by adding thereto Sections 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

DEPARTMENT REQUESTING ORDINANCE City Council

SYNOPSIS OF ORDINANCE An Ordinance requiring License for Amusement Arcades, defining amusement device, application, license fee, change of location, restrictions, penalties and revocation of license.

EFFECT OF PASSAGE / Presently under Chapter 30 Operator of Amusement Arcade is required to license each machine at \$100.00 per machine. Under new Ordinance \$200.00 would cover all machines.

EFFECT OF NON-PASSAGE / Operator is required to pay total fee of \$2,000 to \$3,000.00 annually if he has 20 or more machines.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) / _____

ASSIGNED TO COMMITTEE (PRESIDENT) / _____

~~REGULATORY~~
FINANCE LICEN.
FINANCE

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	<i>B-73-07-10</i>
ORDINANCE NO.	<i>D 18-73</i>
REGULAR SESSION	<i>7-10-73</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Lujan</i>
BILL WRITTEN BY	<i>City Council</i>
DATE INTRODUCED	<i>7-10-73</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Finance</i> <i>Thayer</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
<input checked="" type="checkbox"/> LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	<i>8-14-73</i>
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	<i>To Mr. Smith -</i> COMMUNICATIONS FROM <i>Wayne Thompson</i>
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Deputy Clerk
Referred for action
COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	<input checked="" type="checkbox"/>		
HINGA	<input checked="" type="checkbox"/>		
KRAUS	<input checked="" type="checkbox"/>		
MOSES	<input checked="" type="checkbox"/>		
NUCKOLS			<input checked="" type="checkbox"/>
D. SCHMIDT			<input checked="" type="checkbox"/>
V. SCHMIDT	<input checked="" type="checkbox"/>		
STIER	<input checked="" type="checkbox"/>		
TALARICO	<input checked="" type="checkbox"/>		

COMMENTS:



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

August 24, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of August 25 and September 1, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana, Amending
the City of Fort Wayne Zoning Map
No. B4, B6, C4, C6. Bill No.
Z-73-05-04

Legal Notice for Common Council
of Fort Wayne, Indiana, An Ordinance
amending Chapter 30 of the Fort
Wayne Municipal Code by adding there-
to sections 36,37,38, 39,40,41,42,
43,44,45,46 and 47. Bill No.
G-73-07-10 (Amended).

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 2

A. M. Hostman

Date **September 11, 1973**

Title **Clerk**

Legal Notice
Notice is hereby given that on the 14th day of August, 1973, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill: No. G-73-0710 (Amended) G-18-73 General Ordinance, to-wit:

BILL NO. G-73-0710 (Amended)
GENERAL ORDINANCE NO. G-18-73
AN ORDINANCE AMENDING CHAPTER 38 OF THE FORT WAYNE MUNICIPAL CODE BY ADDING THERETO SECTIONS 36, 37, 39, 40, 41, 42, 43, 44, 45, 46 AND 47.

ENACTED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA That the City of Fort Wayne, Indiana, Code is hereby amended by adding thereto Sections 36, 37, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

SECTION 36. Amusement Arcades—License required.
No person, firm, partnership, or corporation shall keep within the City of Fort Wayne, Indiana, any amusement machine or amusement arcade unless such person, firm, partnership or corporation shall have first procured an amusement arcade license as hereinafter provided.

SECTION 37. Amusement Arcades—License required.

"Amusement Arcade" means the operation by any person, firm, partnership or corporation of:

(1) Twenty (20) or more coin operated amusement devices as hereinafter defined.
(2) For public use.
(3) Upon premises solely within one enclosure.

SECTION 38. "Coin operated amusement device" means any amusement machine or device which is operated or put into operation in whole or in part by the insertion of a coin, token or similar object. The term does not include coin-operated musical devices, bona fide vending machines in which gaming or amusement features are not incorporated, any gambling device or slot machine. Nothing herein shall be construed to permit the use of any device prohibited by law or the use of any device in any manner prohibited by law.

SECTION 39. Amusement Arcades—License required.

No person, firm, partnership or corporation shall own, operate, or permit operation of an Amusement Arcade on premises owned, leased or operated by him, or engage in the business of operating an Amusement Arcade, in the City unless an annual Amusement Arcade License has been obtained. Such Amusement Arcade License shall be in lieu of any other license required by Sections 18 and 30 of this Chapter. A person, firm, partnership or corporation licensed as an Amusement arcade is exempt from all other licensing requirements of this Chapter.

SECTION 40. Amusement Arcades—License Required—Application—License fee.

Such Amusement Arcade licenses shall be obtained upon application to the City Controller and the payment of an annual license fee of \$200.00 for each Amusement Arcade. Such fee shall be in lieu of any other fee required by Sections 20 and 31 of this Chapter.

Amusement Arcade licenses shall cover an annual period from January 1st through December 31st for each calendar year hereafter; provided, however, that all Amusement licenses obtained between August 21, 1973 and December 31, 1973 in addition to covering the period from the grant of the license in the year 1973 to the end of said year 1973 shall cover also the calendar year 1974. From and after January 1, 1974 each Amusement license, no matter where obtained during said calendar year 1974 and thereafter, shall cover only the unexpired portion of the calendar year in which the annual calendar year Amusement Arcade license is obtained.

The application must be signed and sworn to by the applicant in the case of sole proprietorship, in case the applicant is a partnership, all partners must sign and verify the application. In case the applicant is a corporation, all officers must sign and verify the application and indicate their official position. The information required in the application form must be furnished as to each person signing the application. Each application shall be accompanied by the required licensing fee and shall contain the following information:

(a) The applicant's full name.
(b) The applicant's residence address.
(c) The applicant's business address.
(d) The address of the proposed amusement arcade.

(e) The name and address of every person who has any interest in the Amusement Arcade, and the nature of that interest.

(f) Whether or not the applicant has been convicted of any felony, or of pandering, gambling, operation of a gambling device, operating of a gaming house or being a keeper of a house of ill-fame, or any other misdemeanor.

(g) Whether or not the applicant is at the time of making the application keeping or in any way connected with a gaming house or a house of ill-fame.

(h) Whether or not the applicant or his or her spouse, or any member of the applicant's household is a member or employee of the Police Department of the City of Fort Wayne, whether or not any member or employee of the Police Department of the City of Fort Wayne is interested in any way, either directly or indirectly, in this license applied for, the device, or the operation of the same; and whether or not the applicant has received or borrowed money or anything else of value or accepted credit from any member or employee of said Police Department, or the spouse or any member of the household of any such member or employee.

(i) A statement that the applicant, if requested by the Mayor, will permit a record of his fingerprints to be made by the Police Department of the City of Fort Wayne for the purpose of additional investigation to determine whether or not the application should be granted.

SECTION 41. Amusement Arcades, License required—Inspection; Issuance of License.

Upon receipt of the application and the fee, the Controller shall refer the application to the Police Department of the City, which shall cause the Arcade to be inspected promptly and report to the City Controller whether the coin operated amusement device, or device, in this Arcade are equipped for operation or are actually operated in violation of the law of the State. If the Police Department finds that the coin operated amusement device in the Arcade are not so equipped or operated, the inspecting officer shall place a sticker on each machine showing the date of inspection and so report to the City Controller. The Controller shall then issue a license for the Arcade, and the number of licenses shall be placed on the sticker on each coin operated amusement device in the Arcade.

Legal Notice

or Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk.

Approved and signed by me this 22nd day of August, 1973, at the hour of 4:30 o'clock P.M., E.S.T.:

Ivon A. Lebowitz, Mayor

1, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-18-73 passed by the Common Council on the 14th day of August, 1973, and that said ordinance was duly signed and approved by the Mayor on the 22nd day of August, 1973, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of August, 1973.

CHARLES W. WESTERMAN, City Clerk.

8-28 9-4

which was duly published in said paper for 2 time, the dates of publication being as follows:

August 28, 1973

September 4, 1973

Subscribed and sworn to before me this

11th day of **September**, 19**73**

Notary Public

My commission expires

October 25, 1975

member of the household of any such member or employee.

(3) A statement that the applicant, if requested by the Mayor, will permit a record of his fingerprints to be made by the Police Department of the City of Fort Wayne for the purpose of additional investigation to determine whether or not the application should be granted.

SECTION 41. Amusement Arcades, License required—Inspections; Issuance of License.

Upon receipt of the application and the fee, the Controller shall refer the application to the Police Department of the City, which shall cause the Arcade to be inspected promptly and report to the City Controller whether the coin operated amusement device, or devices, in the Arcade are equipped for operation or are actually operated in violation of the law of the State. If the Police Department finds that the coin operated amusement devices in the Arcade are not so equipped or operated, the inspecting officer shall place a sticker on each machine showing the date of inspection and so report to the City Controller. The Controller shall then issue a license for the Arcade, and the number of the license shall be placed on the sticker on each coin operated amusement device in the Arcade.

The Police Department shall make at least one additional inspection of each coin operated amusement device in the Arcade during the license year to determine whether the machines are operated or equipped for operation in violation of the law of the State, and may make additional inspections at any time. The date of each inspection shall be shown on the sticker of each machine.

SECTION 42. Amusement Arcades—Change of Location.

If any coin operated amusement device is moved from the Arcade, the new location shall be reported promptly to the Police Department, and if not so reported, the Amusement Arcade License shall be automatically revoked without notice of further action. No license shall be valid except for the location shown in the application or in such change of location.

If any coin operated amusement device is moved from a different location to the Arcade, the Arcade license shall notify the Police Department of the City, which shall cause the new machines to be inspected promptly and report to the City Controller whether the coin operated amusement device in the Arcade is equipped for operation or is actually operated in violation of law. If the Police Department finds that the coin operated amusement device in the Arcade is not so equipped or operated, the inspecting officer shall place a sticker on that machine, bearing the number of the Arcade License, showing the date of inspection and so report to the City Controller.

SECTION 43. Amusement Arcades — Restrictions.

A. No coin-operated amusement device or coin-operated musical device shall be operated within an amusement arcade so as to constitute a public nuisance.

B. An Amusement Arcade License shall not be issued to any person who has been convicted of conducting gambling activities or to any corporation or partnership a member or principal shareholder of which has been convicted of conducting gambling activities. No gambling activities shall be conducted on the premises of Amusement Arcade licensed under this Chapter.

C. There shall be provided a full-time attendant upon the premises of an Amusement Arcade during the normal business hours.

D. It shall be unlawful for any person, firm, partnership or corporation engaged in the business of operating an Amusement Arcade to sell, offer for sale, or knowingly permit to be sold or offered for sale or to be dispensed or consumed or brought on the premises any alcoholic beverages.

E. Every Amusement Arcade licensed under this Chapter shall have affixed on its premises in plain view a decalcomania evidencing the issuance of its license.

F. The license required and described in this Section shall be purely a personal privilege and shall not constitute property. It is not transferable in any manner.

SECTION 44. Amusement Arcades — Penalties.

Any person, firm, partnership or corporation operating an Amusement Arcade shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) for every violation of this Chapter. A licensee who has committed three (3) or more violations of this Chapter may, upon ten (10) days written notice to licensee, have its license revoked.

SECTION 45. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, section, clause, provision, or portion of this ordinance.

SECTION 46. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

WILLIAM T. HINGA,
City Clerk.

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Seven.
Burns, Hinga, Kraus, Moses, V. Schmidt, Sier, Talarico.
Nays: None.
Absent: Two.
Nuckolls, D. Schmidt.
Date: 8-14-73

Charles W. Westerman,
City Clerk.

Posted and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-18-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman,
City Clerk.

Winfield C. Moses, Jr.,
Presiding Officer

Presented by me to the Mayor of the City

Common Council City of Ft. Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

-

308

2

310

COMPUTATION OF CHARGES

310 lines columns wide equals equivalent lines at 28¢ cents per line

\$ 89.28

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

(2)

1.00

TOTAL AMOUNT OF CLAIM

\$ 90.28

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 11, 1973

Title Clerk

noted up to each person engaged in the operation of the amusement device, each application shall be accompanied by the required licensing fee and shall contain the following information:

(a) The applicant's full name.

(b) The applicant's residence address.

(c) The applicant's business address.

(d) The address of the proposed amusement arcade.

(e) The name and address of every person who has any interest in the Amusement Arcade, and the nature of that interest.

(f) Whether or not the applicant has been convicted of any felony or of pandering, gambling, operation of a gambling device, operating a gaming house or being a keeper of a house of ill-fame, or any other misdemeanor.

(g) Whether or not the applicant is of the time of making the application keeping in any way connected with a gaming house or a house of ill-fame.

(h) Whether or not the applicant or his or her spouse, or any member of the applicant's household is a member or employee of the Police Department of the City of Fort Wayne, whether or not any member of the Police Department of the City of Fort Wayne is interested in the issuance, either directly or indirectly, of the license applied for, the device, or the operation of the same; and whether or not the applicant has received or borrowed money or anything else of value of accepted credit from any member of employees of said Police Department, or the spouse or any member of the household of any such member or employee.

Legal Notice

Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M. E.S.T.

AFFIDAVIT

ss:

appeared before me, a notary public in and for said county and state, the said A. M. Hostman who, being duly sworn, says she is Clerk of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

August 28, 1973

September 4, 1973

Subscribed and sworn to before me this 11th day of September 1973

My commission expires

October 25, 1975

Notary Public

SECTION 41. Amusement Arcades. License. Upon receipt of the application and the fee, the Controller shall refer the application to the Police Department of the City, which shall cause the Arcade to be inspected promptly and report to the Controller whether the coin operated amusement device, or devices, in the Arcade are kept for operation or are actually operated in violation of the law of the State. If the Police Department finds that the coin operated amusement devices in the Arcade are not so equipped or operated, the inspecting officer shall place a sticker on each machine showing the date of inspection and so report to the City Controller. The Controller shall then issue a license for the Arcade, and the number of the license shall be placed on the sticker on each coin operated amusement device in the Arcade. The Police Department shall make at

Common Council-City of Ft. Wayne
(Governmental Unit)

To: JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines _____

Head number of lines _____

Body number of lines 308

Tail number of lines 2

Total number of lines in notice 310

COMPUTATION OF CHARGES

310 lines _____ columns wide equals _____ equivalent lines at 288¢ _____
cents per line \$ 89.28

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM \$ 90.28

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 11, 1973

Arvilla DeWald
Title _____ CLERK

Notice is hereby given that on the 14th day of August, 1973, the Common Council of the City of Fort Wayne, Indiana, in its Regular Session did pass the following Bill No. G-73-87-10 (Amended) G-18-73 General Ordinance, to-wit:

BILL NO. G-73-87-10 (Amended)
GENERAL ORDINANCE NO. G-18-73
AN ORDINANCE AMENDING CH

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

I appeared before me, a notary public in and for said county and state, the
ARVILLA DEWALD who, being duly sworn, says
is _____ CLERK _____ of the

JOURNAL-GAZETTE

DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 time S, the dates of publication being
as follows:

August 28, 1973September 4, 1973Subscribed and sworn to before me this 11 day of September 19 73

Notary Public

My commission expires October 25, 1975